

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF MAINTENANCE FEE IN AN EXPIRED PATENT (37 CFR 1.378(b))**

Docket Number (Optional)

Mail to: Mail Stop Petition  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450  
 Fax: (571) 273-8300

10/12/2011 DALLEN 00000033 6296294  
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2125.00 OP  
 OCT -1 PH 3/22

**NOTE:** If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

Patent Number: 10296294

Application Number: 09288136

Issue Date: 10/21/2011

Filing Date: 4/08/1999

**CAUTION:** Maintenance fee (and surcharge, if any) payment must correctly identify: (1) the patent number (or reissue patent number, if a reissue) and (2) the application number of the actual U.S. application (or reissue application) leading to issuance of that patent to ensure the fee(s) is/are associated with the correct patent. 37 CFR 1.366(c) and (d).

**Also complete the following information, if applicable:**

The above-identified patent:

- is a reissue of original Patent No. \_\_\_\_\_ original issue date \_\_\_\_\_;  
 original application number \_\_\_\_\_,  
 original filing date \_\_\_\_\_
- resulted from the entry into the U.S. under 35 U.S.C. 371 of international application \_\_\_\_\_ filed on \_\_\_\_\_.

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is

(1) being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 OR

(2) transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

10/21/2011  
 Date

Brandy Daugherty  
 Signature

Brandy Daugherty  
 Typed or printed name of person signing Certificate

## 1. SMALL ENTITY

Patentee claims, or has previously claimed, small entity status. See 37 CFR 1.27

## 2. LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Patentee is no longer entitled to small entity status. See 37 CFR 1.27(g)

## 3. MAINTENANCE FEE (37 CFR 1.20(e)-(g))

The appropriate maintenance fee must be submitted with this petition, unless it was paid earlier.

NOT Small Entity			Small Entity		
Amount	Fee	(Code)	Amount	Fee	(Code)
<input type="checkbox"/>	\$ _____	3 ½ yr fee	<input type="checkbox"/>	\$ _____	3 ½ yr fee
<input type="checkbox"/>	\$ _____	7 ½ yr fee	<input checked="" type="checkbox"/>	\$ <u>1425.00</u>	7 ½ yr fee
<input type="checkbox"/>	\$ _____	11 ½ yr fee	<input type="checkbox"/>	\$ _____	11 ½ yr fee

MAINTENANCE FEE BEING SUBMITTED \$ 1425.00

## 4. SURCHARGE

The surcharge required by 37 CFR 1.20(i)(1) of \$ 700.00 (Fee Code 1557) must be paid as a condition of accepting unavoidably delayed payment of the maintenance fee.

SURCHARGE FEE BEING SUBMITTED \$ 700.00

## 5. MANNER OF PAYMENT

Enclosed is a check for the sum of \$ \_\_\_\_\_

Please charge Deposit Account No. \_\_\_\_\_ the sum of \$ \_\_\_\_\_.

Payment by credit card. Form PTO-2038 is attached.

## 6. AUTHORIZATION TO CHARGE ANY FEE DEFICIENCY

The Director is hereby authorized to charge any maintenance fee, surcharge or petition fee deficiency to Deposit Account No. \_\_\_\_\_.

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## 7. OVERPAYMENT

As to any overpayment made, please

 Credit to Deposit Account No. \_\_\_\_\_

OR

 Send refund check

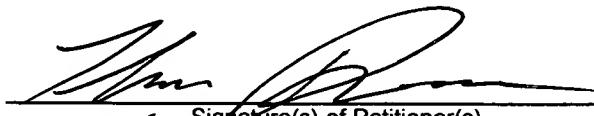
## WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

## 8. SHOWING

The enclosed statement will show that the delay in timely payment of the maintenance fee was unavoidable since reasonable care was taken to ensure that the maintenance fee would be paid timely and that this petition is being filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent. The statement must enumerate the steps taken to ensure timely payment of the maintenance fee, the date and the manner in which the patentee became aware of the expiration of the patent, and the steps taken to file the petition promptly.

## 9. PETITIONER(S) REQUESTS THAT THE DELAYED PAYMENT OF THE MAINTENANCE FEE BE ACCEPTED AND THE PATENT REINSTATED.


 Signature(s) of Petitioner(s)

10/2/2011

Date

Thomas Russell

Typed or printed name(s)

Registration Number, if applicable

3047 Wendmead pl. Marietta GA 30062

Address

770-714-6265

Telephone Number

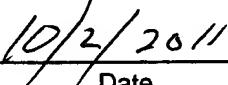
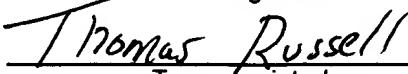
\_\_\_\_\_

## ENCLOSURES:

- Maintenance Fee Payment
- Statement why maintenance fee was not paid timely
- Surcharge under 37 CFR 1.20(i)(1) (fee for filing the maintenance fee petition)
- Other: \_\_\_\_\_

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

37 CFR 1.378(d) states: "Any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest."

  
\_\_\_\_\_  
Signature  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Type of printed name  
\_\_\_\_\_  
Registration Number, if applicable

**STATEMENT**

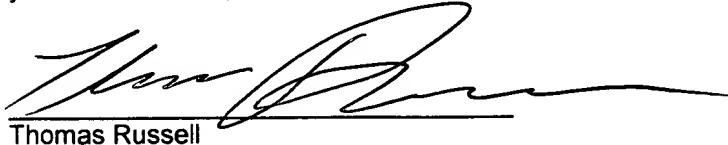
(In the space below, please provide the showing of unavoidable delay recited in paragraph 8 above.)

See Attached page.

*(Please attach additional sheets if additional space is needed)*

To Whom it may Concern:

We had thought that the patent maintenance fees were due in 2011 and found out it was not only due but past due. We like many others had fallen in financial hardships so it took a couple of months to get the money together. We had also thought that we were going to receive some sort of notification by mail but never received anything. We are not sure if the patent office has the correct address but back in 2005 we purchased the patent from Michael and Kathleen Bouches (Kohnle). We will send the document for transfer of patent from when we transferred the patent rights. I guess the address was never updated from them as they were suppose to update it from the patent attorney they were granted the patent from (Kaardal & Associates). Please allow us to pay the maintenance fees that are due and have the patent active again. We have a great deal of money invested in this project and we are very sorry to be late on paying the fees. Thank you for your consideration,



Thomas Russell

3047 Wendmead Place  
Marietta, Ga 30062  
770-714-6265  
[nortongrand@aol.com](mailto:nortongrand@aol.com)

**ASSIGNMENT OF PATENT**

Docket Number (Optional)

Whereas, We, KATHLEEN F. KOHNKE : MICHAEL E. BOUCHES of ARIZONA,  
hereinafter referred to as patentee, did obtain a United States Patent for an improvement in  
Rear View Mirror Dual Visor Attachment.

No. 6,294,294, dated Oct. 2, 2001; and whereas, we are now the joint owners  
of said patent, and, whereas,

THOMAS RUSSELL of GEORGIA.  
hereinafter referred to as "assignee", whose mailing address is

2580 Paul Harris Rd.

City of DALLAS, and State of GEORGIA . 30157.

is desirous of acquiring the entire right, title, and interest in the same:

Now, therefore, in consideration of the sum of the receipt whereof is  
acknowledged, and other good and valuable consideration, We, the patentees, by these presents do sell,  
assign, and transfer unto said assignee, the entire right, title, and interest in and to the said Patent aforesaid;  
the same to be held and enjoyed by the said assignee for his own use and behoof, and for his legal  
representatives and assigns, to the full end of the term for which said Patent is granted, as fully and entirely  
as the same would have been held by me had this assignment and sale not been made.

Executed this 3<sup>rd</sup> day of March, 2005,

At Tucson, AZ.

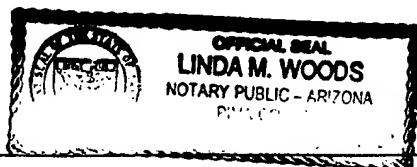
State of Arizona)

M.J.B. /Kathleen Bouches  
(Signature)

County of Pima) SS:

Before me personally appeared said Michael & Kathleen Bouches (Kohnke)

And acknowledge the foregoing instrument to be their free act and deed this 3<sup>rd</sup> day  
Of March, 2005.



Linda M. Woods  
(Notary Public)